



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MORISHITA LAW FIRM
3800 HOWARD HUGHES PARKWAY
SUITE 850
LAS VEGAS, NV 89109

COPY MAILED

APR 06 2006

OFFICE OF PETITIONS

In re Application of :
Edward Mitchell :
Application No. 10/789,270 : ON PETITION
Filed: February 28, 2004 :
Attorney Docket No. Mitchelle06-01 :

This is a decision on the petition under 37 CFR 1.137(b), filed January 25, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed December 2, 2004 which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on March 3, 2005.

The instant petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amendment; (2) the petition fee; and (3) the required statement of unintentionally delay have been received. Accordingly, the reply to the non-final Office action of December 2, 2004 is accepted as having been unintentionally delayed.

This matter will be referred to Technology Center AU 3714.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (571) 272-3220.

Wan Laymon
Wan Laymon
Petitions Examiner
Office of Petitions